IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT CHANDIGARH

CRL.R.No.2373 of 2006

DATE OF ORDER:20.11.2006

Ombir Singh

...Petitioner(s)

Versus

State of Haryana

....Respondent(s)

CORUM : HON'BLE MR. JUSTICE M.M. AGGARWAL

.*.*.*.

Present: Mr. S.N. Yadav, Advocate.

M.M. AGGARWAL,J

This is petition against order dated 17.10.2006 passed by Additional Sessions Judge, Jhajjar whereby accused-petitioners were charge sheeted for the offence under Sections 498-A/307 IPC read with Section 34 IPC.

According to the petitioners, injury was simple in nature and as per medical opinion, it was not dangerous to life and that there was no case for the offence under section 307/34 IPC. He relied on a judgment reported in Gurmit Singh v. UT, Chandigarh, 2003(1) RCR (Criminal) 535.

I have gone through the order dated 17.10.2006 passed by Additional Sessions Judge, Jhajjar.

Complainant in this case is Anita. As per allegations, she was being branded with hot iron rod and Chimta indiscriminately and therefore Additional Sessions Judge, Jhajjar had found that there was prima facie case for the offence under Section 307/34 IPC as well.

Let petitioners face trial for the offences for which charges had been framed. If ultimately section 307/34 IPC is not proved then the petitioners can be acquitted of that offence and convicted for whatever case is made out.

I do not find any good ground to interfere.

Dismissed.

November 20, 2006 (M.M. AGGARWAL)
manoj JUDGE